UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,980	05/14/2001	Scott LeKuch	YOR920000701US1	9084

7590 04/22/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2115	2

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)
Office Action Summary	09/854,980		LEKUCH ET AL.
	Examiner		Art Unit
	Pranav Chandrasekhar		2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 May 2001*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-32* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-32* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Flickinger et al [US Pat No. 5,629,499] in view of Mustafa et al [US Pat No. 6,678,831].

2. As per claim 1, Flickinger teaches

a first computing device comprising local storage and a detector for detecting

signals emitted from a pen input device for generating stroke information therefrom [col.

6 lines 1-24]; and

a second computing device coupled to said first computing device, wherein

said detected stroke information is selectively transferred or not transferred to said

second computing device based on handshaking signal from the second computing

device [col. 4 lines 35-48].

Flickinger does not teach the selective transfer depending on an adaptive

transfer policy.

Mustafa teaches a second computing device wherein information is selectively

transferred or not transferred from the first computing device to second computing

device based on an adaptive transfer policy [col. 4 lines 22-39. The network controller

and CPU together constitute of the second computing device. The first computing

device is viewed as another computer connected to the network that transfers

information to the CPU via the network controller. The adaptive transfer policy is

dictated by the suspend mode of the system].

It would have been obvious to one skilled in the art to combine the teachings of

Flickinger and Mustafa to selectively transfer the information from the first computing

device to second computing device on the basis of an adaptive transfer policy since the

establishment of an adaptive transfer policy is aimed at minimizing power consumption

due to transfer of information between the two devices.

3. As per claim 10, Flickinger teaches

detecting an emitted signal from a pen input device of a first computing device

for generating stroke information therefrom [col. 6 lines 1-24];

transferring or not transferring said stroke information from said first computing

device to said second computing device in accordance with a handshaking signal

received from said second computing device [col. 4 lines 35-48].

Flickinger does not explicitly teach

determining an operational state of said computing system;

transferring or not transferring information from the first computing device to

the second computing device in accordance with a transfer policy that depends on said

determined operational state.

Mustafa teaches

determining an operational state of said computing system [col. 4 lines 32-39.

The suspend mode of the computing system is viewed as an operational state.];and

transferring or not transferring information from the first computing device to

the second computing device in accordance with a transfer policy that depends on said

determined operational state [col. 4 lines 22-39 The network controller and CPU

together constitute of the second computing device. The first computing device is

viewed as another computer connected to the network that transfers information to the

CPU via the network controller. The adaptive transfer policy is dictated by the suspend

mode (operation state) of the system].

It would have been obvious to one skilled in the art to combine the teachings of

Flickinger and Mustafa to selectively transfer the information from the first computing

device to second computing device on the basis of an adaptive transfer policy since the

establishment of an adaptive transfer policy based on operational state is aimed at

minimizing power consumption due to transfer of information between the two devices.

4. As per claim 18, Flickinger teaches

program instructions for detecting a signal emitted from a pen input device of

a first computing device for generating stroke information therefrom [col. 6 lines 1-24.

The generation of stroke information is viewed as being executed by program

instructions.];

Flickinger does not explicitly teach

program instructions for determining an operational state of computing

system; and

program instructions for transferring or not transferring said stroke information from said first computing device to said second computing device depending on said determined computing system state.

Mustafa teaches

program instructions for determining an operational state of computing system [col. 4 lines 22-39. The determination of an operational state of computing system is viewed as being executed by program instructions]; and

program instructions for transferring or not transferring said stroke information from said first computing device to said second computing device depending on said determined computing system state [col. 4 lines 22-39. The network controller and CPU together constitute of the second computing device. The first computing device is viewed as another computer connected to the network that transfers information to the CPU via the network controller. The adaptive transfer policy is dictated by the suspend mode of the system].

It would have been obvious to one skilled in the art to combine the teachings of Flickinger and Mustafa to selectively transfer the information from the first computing device to second computing device on the basis of an operational state of the system since a delay in transfer of information based on the operational state of the system will help minimize unnecessary consumption of power.

5. As per claim 26, Flickinger teaches

a first computing device comprising local storage and a detector for detecting user input to said first computing device [col. 6 lines 1-24]; and

a second computing device coupled to said first computing device, wherein said detected user input is transferred to said second computer based on a handshaking signal received from the second computer [col. 4 lines 35-48].

Flickinger does not explicitly teach

a second computing device coupled to said first computing device, wherein said detected user input is transferred to said second computer based on an adaptive transfer policy.

Mustafa teaches

a second computing device coupled to said first computing device, wherein said detected information is transferred to said second computer based on an adaptive transfer policy [col. 4 lines 22-39. The network controller and CPU together constitute of the second computing device. The first computing device is viewed as another computer connected to the network that transfers information to the CPU via the network controller. The adaptive transfer policy is dictated by the suspend mode of the system].

It would have been obvious to one skilled in the art to combine the teachings of Flickinger and Mustafa to selectively transfer the information from the first computing device to second computing device on the basis of an adaptive transfer policy since the establishment of an adaptive transfer policy is aimed at minimizing power consumption due to transfer of information between the two devices.

6. As per claims 2 and 27, Flickinger does not explicitly teach a transfer policy automatically adapting to an operational state of said second computing device.

Mustafa teaches the transfer policy automatically adapting to an operational

state of said second computing device [col. 4 lines 22-39. The operational state of the

second computing device is dictated by the operational state of the computing system.].

7. As per claims 4,12,20 and 28, Flickinger does not explicitly teach the second

computing device residing in a state selected from one of an Off State, an On/Low

Power state, and a Normal/High Power state.

Mustafa teaches the second computing device residing in a state selected from

one of an Off State, an On/Low Power state and a Normal/High Power state [col. 2 lines

41-46].

8. As per claims 5,13 and 21, Flickinger does not explicitly teach transfer policy

of stroke information being based on a user-selected setting.

Mustafa teaches

transfer of information being based on a user-selected setting [col. 3 lines 8-

21; col. 4 lines 7-39. The depression of the Bezel button is viewed as the user selecting

the state of the system and hence dictating the transfer policy of information being

transferred between devices.]

9. As per claims 6,14 and 22, Flickinger and Mustafa does not explicitly teach a

user-selected setting being based on at least one of a transfer interval or a rate of

stroke information detection.

It would have been obvious to one skilled in the art to modify the teachings of

Flickinger and Mustafa to enable the user-selected setting to be based on a transfer

interval or a rate of stroke information detection since transfer intervals and rate of

stroke information are determinants of periods during which information must be transferred. It would be advantageous for the operation state of the second computing device to be changed in accordance with a user-selected setting since the transfer policy is based on operation state of the second computing device.

10. As per claims 7, 15 and 23, Flickinger and Mustafa do not teach transfer of stroke information being based on one of an amount of stroke information stored in said local storage, a duration of stroke information detection and a rate of stroke information detection.

It would have been obvious to one skilled in the art to modify the teachings of Flickinger and Mustafa to enable transfer of information based on one of an amount of stroke information stored in local storage, a duration of stroke information and a rate of stroke information. It would be advantageous to use local storage as a parameter to dictate transfer to avoid large amounts of information that has not been transferred to persist on the local storage. In addition, durations and rate of stroke information are determinants of the frequency at which information must be transferred.

11. As per claims 8,16 and 24, Flickinger does not teach the transfer policy being based on a power management configuration of said second computing device.

Mustafa teaches the transfer policy being based on a power management configuration of said second computing device [col. 4 lines 22-39. The suspend mode of the second computing device (as a result of the suspend mode of the computing system) is viewed as a power management configuration.].

12. As per claims 9,25 and 29, Flickinger and Mustafa do not explicitly teach the transfer policy automatically adapting to a change in pattern of the detected user input.

It would have been obvious to one skilled in the art to modify the teachings of Flickinger and Mustafa to enable the transfer policy to automatically adapt to a change in pattern of the detected user input.

13. As per claim 30, Flickinger teaches detection of user input from a pen input device [col. 6 lines 1-24]

Flickinger and Mustafa do not explicitly teach the detection of audible signals.

It would have been obvious to modify the teachings of Flickinger and Mustafa to enable the detection of audible signals in a manner similar to that of the pen input device.

14. As per claim 31, Flickinger further teaches the detector detecting signals emitted from a pen input device for generating stroke information [col. 6 lines 14-24].

15. As per claim 32, Flickinger teaches detection of user input from a pen input device [col. 6 lines 1-24].

Flickinger and Mustafa do not explicitly teach the detection of keyboard and keypad entries.

It would have been obvious to modify the teachings of Flickinger and Mustafa to enable the detection of keyboard and keypad entries in a manner similar to that of the pen input device.

16. As per claims 3,11 and 19, Flickinger and Mustafa do not explicitly teach the transfer policy being adapted to extend a battery life of the second computing device.

It would have been obvious to one skilled in the art to modify the teachings of

Flickinger and Mustafa to enable the transfer policy to be adapted to extend a battery

life of the second computing device to avoid unnecessary power consumption due to

transfer of information between the first and second computing devices and hence

extending battery life of the second computing device.

Conclusion

17.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

18.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Pranav Chandrasekhar whose telephone number is

703-305-8647. The examiner can normally be reached on 8:30 a.m.-5:00 p.m. If

attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas Lee can be reached on 703-305-9717. The fax phone numbers for

the organization where this application or proceeding is assigned are 703-746-7239 for

regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

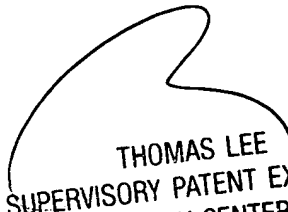proceeding should be directed to the receptionist whose telephone number is 703-308-

2100.

Pranav Chandrasekhar
April 19,2004

THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100